

SUPREME COURT OF ILLINOIS

WEDNESDAY, MAY 18, 2011

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.24437 - In re: Arnim Johnson, Jr. Disciplinary Commission.

The petition by respondent Arnim Johnson, Jr. for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent is suspended from the practice of law for one (1) year, as recommended by the Review Board.

Suspension effective June 8, 2011.

Respondent Arnim Johnson, Jr. shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.24458 - In re: L. Tod Schlosser. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent L. Tod Schlosser is disbarred.

Order entered by the Court.

M.R.24461 - In re: Mahendra R. Mehta. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Mahendra R. Mehta is disbarred.

Order entered by the Court.

M.R.24470 - In re: John Joseph Robinson. Disciplinary Commission.

The petitions by the Administrator of the Attorney Registration and Disciplinary Commission and by respondent John Joseph Robinson for leave to file exceptions to the report and recommendation of the Review Board are denied. Respondent is suspended from the practice of law for three (3) years and until further order of the Court, as recommended by the Review Board.

Order entered by the Court.

M.R.24471 - In re: Charles Augustus Conner, Jr. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Review Board is allowed, and respondent Charles Augustus Conner, Jr. is disbarred.

Order entered by the Court.

M.R.24472 - In re: Susan Grace Castagnoli. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Review Board is allowed, and respondent Susan Grace Castagnoli is disbarred.

Order entered by the Court.

M.R.24473 - In re: David Joshua Corbett. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent David Joshua Corbett is suspended from the practice of law for thirty (30) days.

Suspension effective August 1, 2011.

Respondent David Joshua Corbett shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

Motion by David Joshua Corbett to delay start date of term of suspension to August 1, 2011. Motion allowed.

Order entered by the Court.

M.R.24474 - In re: George Angelo Palivos. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent George Angelo Palivos is disbarred.

Order entered by the Court.

M.R.24482 - In re: Peter Chris Kalagis. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Peter Chris Kalagis is suspended from the practice of law for one (1) year, with all but the first sixty (60) days stayed by probation subject to the following conditions:

a. Respondent shall attend and successfully complete the Attorney Registration and Disciplinary Commission Professionalism Seminar.

b. Respondent shall establish and utilize a system for the handling of funds belonging to clients and third parties and the maintenance of records that conforms to the requirements of Rule 1.15 of the Illinois Rules of Professional Conduct and instructions provided to respondent by the Administrator, including the following Trust Account Procedures:

Basic accounting records that must be maintained daily and accurately:

Account Check Register - List sequentially all trust account deposits and trust account checks and maintain a current and accurate daily balance on the trust account;

Account Receipts Journal - List chronologically all deposits into the trust account. Each deposit will list the date of the deposit, the source of each deposit, the client matter, the deposit number and the amount of the deposit. Maintain a copy of each item deposited;

Account Disbursement Journal - List chronologically all trust account disbursements and identify each disbursement with the date of the disbursement check, the trust account check number, the payee, the purpose of the disbursement, the client matter and the amount of the disbursement check;

Client Ledger Journal - List chronologically for each client matter all receipts, disbursements and remaining balances. Prepare a separate page for each client matter and list chronologically all receipts and disbursements and remaining balances for each client matter;

Source documents, which must be preserved for seven (7) years:

Bank statements;

Deposit slips;

Cancelled checks - All trust account checks must have a named payee (no checks written to "cash") and the memo portion of the check must contain a reference to a client matter;

Time and billing records; and

Copies of records from client files that are necessary for a full understanding of the lawyer's financial transactions with the client: e.g. retainer and engagement agreements; settlement statements to clients showing the disbursement of the settlement proceeds; bills sent to clients and records of payments to other lawyers or non-employees for services rendered;

Reconciliation - There must be a running balance maintained for all ledgers and account books. The balances in the client ledger journal must be reconciled each month with the balances in the trust receipts and disbursement journals, the account checkbook register and the bank statements. Records of each reconciliation must be maintained for seven (7) years.

c. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773;

d. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct;

e. Respondent shall attend meetings scheduled by the Commission probation officer as requested by the Administrator. Respondent shall submit quarterly written reports to the Administrator concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

f. Respondent shall notify the Administrator within fourteen (14) days of any change of address;

g. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct; and

h. Probation shall be revoked if respondent is found to have violated any of the foregoing terms of probation. The remainder of the one (1) year suspension shall commence from the date of the determination that any term of probation has been violated.

Suspension effective June 8, 2011.

Order entered by the Court.

M.R.24483 - In re: Leonard Samuel DeFranco. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Leonard Samuel DeFranco is suspended from the practice of law for thirty (30) days.

Suspension effective June 8, 2011.

Respondent Leonard Samuel DeFranco shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.24490 - In re: Craig Justin Katz. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Craig Justin Katz is suspended from the practice of law for one (1) year and until further order of the Court.

Order entered by the Court.

M.R.24500 - In re: Erwin Mayer. Disciplinary Commission.

The motion by Erwin Mayer to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

M.R.24501 - In re: Peter Raymond Vogel. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Peter Raymond Vogel is disbarred.

Order entered by the Court.

M.R.24524 - In re: Nick Kulagin. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Nick Kulagin is censured and required to successfully complete the Attorney Registration and Disciplinary Commission Professionalism Seminar within one (1) year of the entry of the Court's order.

Order entered by the Court.

M.R.24543 - In re: Michael Joseph Fiandaca. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Michael Joseph Fiandaca is suspended from the practice of law for thirty (30) days and until he successfully completes the Attorney Registration and Disciplinary Commission Professionalism Seminar within one (1) year of the Court's final order of discipline.

Suspension effective June 8, 2011.

Respondent Michael Joseph Fiandaca shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.24544 - In re: Kyra Shelle-Granberry Payne. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Kyra Shelle-Granberry Payne is censured and required to complete the Attorney Registration and Disciplinary Commission Professionalism Seminar within one (1) year of the entry of the Court's order.

Order entered by the Court.

M.R.24547 - In re: Kenneth Glen Mason. Disciplinary Commission.

The motion by Kenneth Glen Mason to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

M.R.24553 - In re: James William Berry. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent James William Berry is suspended from the practice of law for one (1) year and until he pays restitution to Northbrook Bank & Trust in the amount of \$40,000.

Suspension effective June 8, 2011.

Respondent James William Berry shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.24554 - In re: Amy Tsung-Mien Ho. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Amy Tsung-Mien Ho is suspended from the practice of law for five (5) months.

Suspension effective June 8, 2011.

Respondent Amy Tsung-Mien Ho shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from her conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.24555 - In re: Julio Cesar Argueta. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Julio Cesar Argueta is suspended from the practice of law for two (2) years and until further order of the Court, with the suspension stayed in its entirety by a two (2) year period of probation, subject to the following conditions:

a. Respondent shall abstain from the usage of alcohol and any unprescribed controlled substances;

b. Respondent shall, as required by the Administrator, submit to random substance testing by a qualified mental health professional or facility approved by the Administrator, within eight (8) hours of receiving notice by the Administrator that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Respondent shall pay any and all costs of such testing;

c. Respondent shall attend meetings as scheduled by the Commission probation officer. Respondent shall submit quarterly written reports to the Commission probation officer concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

d. Respondent shall participate in a 12-step program such as Alcoholics Anonymous, by attending at least three (3) meetings a week. Respondent is to maintain a log of his attendance at the meetings and submit it to the Administrator with his quarterly reports;

e. Respondent shall maintain a sponsor in the 12-step program and shall provide the name, address and telephone number of the sponsor to the Administrator within fourteen (14) days of being placed on probation. Respondent shall request that the sponsor communicate with the Administrator in writing on a quarterly basis regarding respondent's participation and progress in the 12-step program and report any lapses in sobriety or usage of unprescribed controlled substances to the Administrator within seventy-two (72) hours of his knowledge of that usage;

f. Respondent shall report to the Administrator any lapse in his sobriety or usage of any unprescribed controlled substances within seventy-two (72) hours of that usage;

g. Respondent shall comply with the provisions of Article VII of the Illinois Supreme Court Rules on Admission and Discipline of Attorneys and the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

h. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation;

i. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct;

j. Respondent shall notify the Administrator within seven (7) days of any arrest or charge alleging his violation of any criminal or quasi-criminal statute or ordinance;

k. Respondent shall notify the Administrator within fourteen (14) days of any change of address; and

l. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The two (2) year period of suspension shall commence from the date of the determination that any term of probation has been violated and shall continue until further order of the Court.

Order entered by the Court.

M.R.24563 - In re: Adalbert Paul Wojewnik. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Adalbert Paul Wojewnik is disbarred.

Order entered by the Court.

M.R.24565 - In re: Norbert E. Duckstein. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Norbert E. Duckstein is censured.

Order entered by the Court.

M.R.24572 - In re: Robert Bruce Becker. Disciplinary Commission.

The motion by Robert Bruce Becker to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.